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March 15, 2013

SALUS POPULI SUPREMA LEX ESTO

*"The welfare of the people shall be the supreme law."*



JASON KANDER  
SECRETARY OF STATE

MISSOURI  
REGISTER

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# MISSOURI REGISTER



March 15, 2013

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Documents will be accepted for filing on all regular workdays from 8:00 a.m. until 5:00 p.m. We encourage early filings to facilitate the timely publication of the *Missouri Register*. Orders of Rulemaking appearing in the *Missouri Register* will be published in the *Code of State Regulations* and become effective as listed in the chart above. Advance notice of large volume filings will facilitate their timely publication. We reserve the right to change the schedule due to special circumstances. Please check the latest publication to verify that no changes have been made in this schedule. To review the entire year's schedule, please check out the website at <http://www.sos.mo.gov/adrules/pubsched.asp>

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## HOW TO CITE RULES AND RSMo

**RULES**—Cite material in the *Missouri Register* by volume and page number, for example, Vol. 28, *Missouri Register*, page 27. The approved short form of citation is 28 MoReg 27.

The rules are codified in the *Code of State Regulations* in this system—

Title	Code of State Regulations	Division	Chapter	Rule
1 Department	CSR	10- Agency, Division	1. General area regulated	010 Specific area regulated

They are properly cited by using the full citation , i.e., 1 CSR 10-1.010.

Each department of state government is assigned a title. Each agency or division within the department is assigned a division number. The agency then groups its rules into general subject matter areas called chapters and specific areas called rules. Within a rule, the first breakdown is called a section and is designated as (1). Subsection is (A) with further breakdown into paragraph 1., subparagraph A., part (I), subpart (a), item I. and subitem a.

**RSMo**—The most recent version of the statute containing the section number and the date.

**T**he Secretary of State shall publish all executive orders beginning January 1, 2003, pursuant to section 536.035.2, RSMo Supp. 2012.

## EXECUTIVE ORDER 13-01

WHEREAS, the Department of Public Safety, created pursuant to Article IV, Section 48 of the Missouri Constitution and Chapter 650, RSMo, is responsible for providing coordination between local, state, and federal agencies in regard to public safety and law enforcement programs; and

WHEREAS, the State Emergency Management Agency (SEMA), established pursuant to Section 44.020, RSMo, is a division of the Department of Public Safety and responsible for assisting federal, state, local and faith-based activities related to emergency functions by coordinating response, recovery, planning and mitigation; and

WHEREAS, the Office of Homeland Security, established within the Department of Public Safety, is responsible for coordinating activities to promote unity of effort among federal, state, local, private sector, and citizen activities related to emergency preparedness and homeland security; and

WHEREAS, the Department of Public Safety oversees the coordinated emergency response to natural and man-made disasters on behalf of the State of Missouri and coordinates emergency response planning and preparedness through SEMA and the Office of Homeland Security using an all-hazard approach; and

WHEREAS, the Department of Health and Senior Services, established pursuant to Chapter 192, RSMo, is responsible for public health and aging issues; and

WHEREAS, the Center for Emergency Response and Terrorism is located within the Department of Health and Senior Services to coordinate emergency response and preparedness among public health agencies relating to terrorism, natural disasters, and pandemic; and

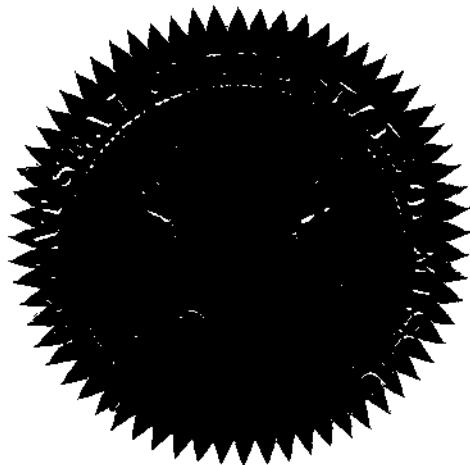
WHEREAS, transferring the Center for Emergency Response and Terrorism's response, planning, and preparedness responsibilities to the Department of Public Safety will promote coordination and consistency among emergency response agencies; and

WHEREAS, I am committed to prudently consolidating executive branch operations to ensure that the state delivers vital services in the most efficient and effective manner possible.

NOW, THEREFORE, I, JEREMIAH W. (JAY) NIXON, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the Constitution and laws of the State of Missouri, do hereby order the Department of Health and Senior Services and the Department of Public Safety to cooperate to:

1. Transfer all the authority, powers, duties, functions, records, personnel, property, contracts, budgets, matters pending, and other pertinent vestiges of all emergency response, planning, and preparedness responsibilities within the Center for Emergency Response and Terrorism from the Department of Health and Senior Services to the Department of Public Safety, by Type I transfer, as defined under the Reorganization Act of 1974;
2. Develop mechanisms and processes necessary to effectively transfer these duties and functions to the Department of Public Safety; and
3. Take the steps necessary to maintain compliance with federal requirements so as not to jeopardize federal financial participation with this transfer.

This Order shall become effective no sooner than August 28, 2013, unless disapproved within sixty days of its submission to the First Regular Session of the Ninety-Seventh General Assembly.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 4<sup>th</sup> day of February, 2013.

A handwritten signature in black ink, appearing to read "Jay Nixon".

\_\_\_\_\_  
Jeremiah W. (Jay) Nixon  
Governor

ATTEST:

A handwritten signature in black ink, appearing to read "Jason Kander".

\_\_\_\_\_  
Jason Kander  
Secretary of State

**EXECUTIVE ORDER**  
**13-02**

WHEREAS, the Missouri Department of Economic Development is created pursuant to Article IV, Section 36(a) of the Missouri Constitution and Chapter 620, RSMo; and

WHEREAS, the Missouri Department of Revenue is created pursuant to Article IV, Section 22, of the Missouri Constitution and Chapter 32, RSMo; and

WHEREAS, the Missouri Department of Economic Development's mission is to promote economic growth and job creation; and

WHEREAS, the Missouri Department of Revenue is a regulatory agency charged with collecting revenue and ensuring compliance with Missouri's tax laws; and

WHEREAS, the Missouri Department of Economic Development administers tax credit and job incentive programs; and

WHEREAS, the Missouri Department of Revenue currently performs various functions related to tax credit and job incentive programs, including those associated with the redemption of tax credits issued through the programs administered by the Missouri Department of Economic Development; and

WHEREAS, the Missouri Department of Revenue is positioned to perform post-issuance compliance functions related to such tax credit and job incentive programs; and

WHEREAS, transferring these post-issuance compliance functions to the Missouri Department of Revenue will provide greater efficiency and accountability in the state's tax credit and job incentive programs; and

WHEREAS, transferring these post-issuance compliance functions to the Missouri Department of Revenue will enable the Missouri Department of Economic Development to provide greater focus on its core mission of expanding the state's economy; and

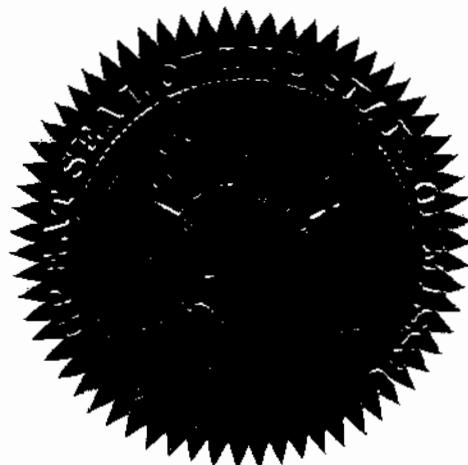
WHEREAS, I am committed to integrating and consolidating government operations to provide for the most efficient and effective use of resources; and

WHEREAS, the transfer of these post-issuance compliance functions from the Missouri Department of Economic Development to the Missouri Department of Revenue will make state government more efficient and effective.

NOW, THEREFORE, I, JEREMIAH W. (JAY) NIXON, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the Constitution and laws of the State of Missouri, do hereby order the Missouri Department of Economic Development and the Missouri Department of Revenue to cooperate to:

1. Transfer all authority, powers, duties, functions, records, personnel, property, contracts, budgets, matters pending, and other pertinent vestiges of the post-issuance compliance functions for tax credit and job incentive programs from the Missouri Department of Economic Development to the Missouri Department of Revenue, by Type I transfer, as defined under the Reorganization Act of 1974;
2. Develop mechanisms and processes necessary to effectively transfer the above-referenced functions to the Missouri Department of Revenue; and
3. Take the steps necessary to maintain compliance with federal requirements so as not to jeopardize federal financial participation with this transfer.

This Order shall become effective no sooner than August 28, 2013, unless disapproved within sixty days of its submission to the First Regular Session of the Ninety-Seventh General Assembly.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 4<sup>th</sup> day of February, 2013.

A handwritten signature of Jeremiah W. (Jay) Nixon in black ink.

\_\_\_\_\_  
Jeremiah W. (Jay) Nixon  
Governor

ATTEST:

A handwritten signature of Jason Kander in black ink.

\_\_\_\_\_  
Jason Kander  
Secretary of State

**EXECUTIVE ORDER**  
**13-03**

**WHEREAS**, the Missouri Department of Natural Resources is created pursuant Article IV, Section 47 of the Missouri Constitution and Chapter 640, RSMo; and

**WHEREAS**, the Division of Energy, located within the Missouri Department of Natural Resources, is responsible for promoting energy efficiency and security through policy development, research, and educational outreach; and

**WHEREAS**, the Missouri Department of Economic Development is created pursuant to Article IV, Section 36(a) of the Missouri Constitution and Chapter 620, RSMo, and is charged with promoting economic growth and job creation; and

**WHEREAS**, energy production and efficiency are crucial to moving Missouri's economy forward; and

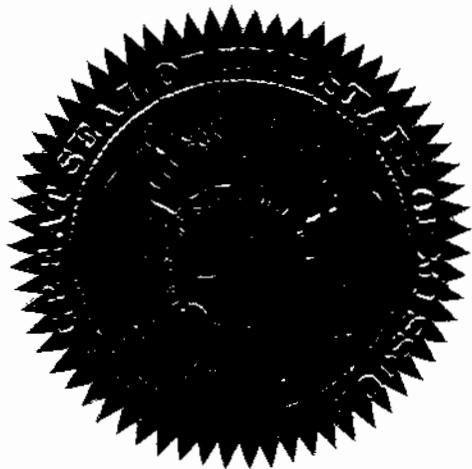
**WHEREAS**, I am committed to integrating and consolidating governmental operations to provide for the most efficient and effective use of resources; and

**WHEREAS**, the transfer of the Division of Energy from the Missouri Department of Natural Resources to the Missouri Department of Economic Development will benefit the State of Missouri by creating efficiencies through a better alignment of goals which will help promote the development, security, and affordability of diverse energy sources essential to the future of Missouri's economy.

**NOW THEREFORE**, I, JEREMIAH W. (JAY) NIXON, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the Constitution and laws of the State of Missouri, do hereby order the Missouri Department of Natural Resources and the Missouri Department of Economic Development to cooperate to:

1. Transfer all authority, powers, duties, functions, records, personnel, property, contracts, budgets, matters pending, and other pertinent vestiges of the Division of Energy from the Missouri Department of Natural Resources to the Missouri Department of Economic Development, by Type I transfer, as defined under the Reorganization Act of 1974;
2. Develop the mechanisms and processes necessary to effectively transfer the Division of Energy to the Missouri Department of Economic Development; and
3. Take the steps necessary to maintain compliance with federal requirements so as not to jeopardize federal financial participation with this transfer.

This order shall become effective no sooner than August 28, 2013, unless disapproved within sixty days of its submission to the First Regular Session of the Ninety-Seventh General Assembly.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 4<sup>th</sup> day of February, 2013.

A handwritten signature in black ink, appearing to read "Jay Nixon".

\_\_\_\_\_  
Jeremiah W. (Jay) Nixon  
Governor

ATTEST:

A handwritten signature in black ink, appearing to read "Jason Kander".

\_\_\_\_\_  
Jason Kander  
Secretary of State

**EXECUTIVE ORDER**  
**13-04**

WHEREAS, increasing the number of adult Missourians who have earned a college certificate or degree will make Missouri even more competitive and successful in the global economy; and

WHEREAS, Missouri has set a goal that 60% of working age adults will hold a high-quality college certificate or degree; and

WHEREAS, the number of students enrolling and graduating from Missouri's colleges and universities has increased steadily over the past decade; and

WHEREAS, it is estimated that there are still nearly 750,000 adult Missourians who have earned some college credit but have not completed a certificate or degree program; and

WHEREAS, there is an unmet, significant need to provide adult learners with more opportunities to obtain higher education degrees; and

WHEREAS, Western Governors University (WGU) is a non-profit, independent university that is regionally and nationally accredited and that offers on-line degrees based on demonstrating and documenting competency as opposed to degrees based on clock or credit hours; and

WHEREAS, WGU is fully independent and requires no state direct appropriation to offer its programs to its students; and

WHEREAS, WGU provides a viable and self-sustaining complement to traditional learning methods through on-line, competency-based distance learning methods; and

WHEREAS, WGU, along with Missouri's existing colleges and universities, can assist Missouri's citizens attain their educational aspirations.

NOW, THEREFORE, I, JEREMIAH W. (JAY) NIXON, Governor of the State of Missouri, by virtue of the power and authority vested in me by the Constitution and the laws of the State of Missouri, do hereby declare and express the commitment of the State of Missouri to the establishment of WGU-Missouri as a non-profit institution of higher education located in Missouri that will provide enhanced access for Missourians to enroll in and complete on-line, competency-based higher education degree programs. In support thereof, I hereby direct:

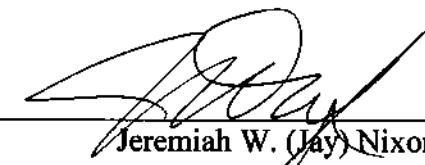
1. The Missouri Department of Higher Education to A) recognize, endorse, and support on-line competency-based education as an important component of Missouri's higher education system; B) eliminate any unnecessary barriers to WGU-Missouri's operation and delivery of such education programs; and C) work with WGU-Missouri to integrate its academic programs and services into the state's higher education goals, policy, and evaluation;
2. The Missouri Department of Higher Education to take all necessary steps now and in the future to ensure that WGU-Missouri students will be eligible to apply for and receive financial aid on the same basis as students at Missouri's public universities;

3. The Missouri Department of Higher Education to work with WGU-Missouri to create appropriate data sharing processes (including at the student record level), as required by state and federal guidelines for higher education providers, to assess WGU-Missouri's performance, and to evaluate the extent to which WGU-Missouri is helping the State achieve its higher education goals;
4. The Missouri Division of Workforce Development to explore methods for promoting on-line, competency-based education opportunities like WGU-Missouri for dislocated workers and other Missourians in need of higher education credentials;
5. Other state agencies whose assistance may be required, such as the Department of Elementary and Secondary Education and the Department of Economic Development, to facilitate the establishment and operation of WGU-Missouri; and
6. WGU-Missouri to establish an advisory board whose members shall be appointed by WGU, in consultation with the Governor.

Contemporaneously with this Executive Order, the State of Missouri is entering into a Memorandum of Understanding (MOU) with WGU to further memorialize and establish the partnership between the State of Missouri and WGU.

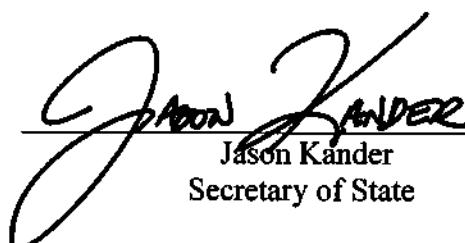


IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 15<sup>th</sup> day of February, 2013.



\_\_\_\_\_  
Jeremiah W. (Jay) Nixon  
Governor

ATTEST:



\_\_\_\_\_  
Jason Kander  
Secretary of State

**U**nder this heading will appear the text of proposed rules and changes. The notice of proposed rulemaking is required to contain an explanation of any new rule or any change in an existing rule and the reasons therefor. This is set out in the Purpose section with each rule. Also required is a citation to the legal authority to make rules. This appears following the text of the rule, after the word "Authority."

**E**ntirely new rules are printed without any special symbol under the heading of proposed rule. If an existing rule is to be amended or rescinded, it will have a heading of proposed amendment or proposed rescission. Rules which are proposed to be amended will have new matter printed in boldface type and matter to be deleted placed in brackets.

**A**n important function of the *Missouri Register* is to solicit and encourage public participation in the rulemaking process. The law provides that for every proposed rule, amendment, or rescission there must be a notice that anyone may comment on the proposed action. This comment may take different forms.

**I**f an agency is required by statute to hold a public hearing before making any new rules, then a Notice of Public Hearing will appear following the text of the rule. Hearing dates must be at least thirty (30) days after publication of the notice in the *Missouri Register*. If no hearing is planned or required, the agency must give a Notice to Submit Comments. This allows anyone to file statements in support of or in opposition to the proposed action with the agency within a specified time, no less than thirty (30) days after publication of the notice in the *Missouri Register*.

**A**n agency may hold a public hearing on a rule even though not required by law to hold one. If an agency allows comments to be received following the hearing date, the close of comments date will be used as the beginning day in the ninety- (90-) day-count necessary for the filing of the order of rulemaking.

**I**f an agency decides to hold a public hearing after planning not to, it must withdraw the earlier notice and file a new notice of proposed rulemaking and schedule a hearing for a date not less than thirty (30) days from the date of publication of the new notice.

retirement system and continue to receive the retirement allowance. Any such person may not be employed in any capacity for any other employer, the compensation for which employment would constitute a livelihood, and continue to receive the retirement allowance. The executive director, and/or the board of trustees shall determine what constitutes a livelihood in such instance. **The recipient of disability benefits may be required to submit tax returns, W-2 forms, paycheck stubs, and other forms of documentation as evidence of continued eligibility for disability retirement.**

(10) A recipient of disability benefits may make a written request to the board of trustees to return to full-time or part-time employment on a trial basis. The written request shall include the proposed employer and the proposed start date of employment. The written request shall then either be approved or denied by the board of trustees. If the request is approved, the recipient's disability benefit shall be placed on hold by the board of trustees for the duration of the trial period, which is not to exceed twelve (12) calendar months. If the recipient is unable to complete his or her trial basis employment period, the recipient must provide written documentation to the board of trustees stating that he or she is not able to complete the trial period. The board of trustees may require the recipient to again submit to a periodic examination by physicians selected by the board of trustees, to determine if the recipient remains incapable of earning a livelihood in any occupation. If determined to still be incapable of earning a livelihood in any occupation, the recipient shall again be considered a disability retiree and receive a disability retirement benefit without resubmitting an Application for Disability Retirement; any contributions paid to the retirement system by the recipient and his or her employer during the incomplete trial basis employment period will be refunded to the employer, which shall then refund its employee for any employee-paid contributions. The recipient shall receive no additional service credit for the incomplete trial basis employment period. If the recipient does successfully complete his or her trial basis employment, his or her disability retirement will be terminated and his or her membership status as of the date of the member's disability retirement shall be restored; any contributions paid by the recipient and his or her employer to the retirement system by the recipient and his or her employer during the trial basis employment period will be retained by the retirement system, and the recipient will be granted service credit for the trial basis employment period. In no event shall the recipient receive a benefit payment in the same calendar month in which the recipient either works for his or her trial basis employer or receives service credit.

Proposed Amendment Text Reminder:  
**Boldface text indicates new matter.**  
*(Bracketed text indicates matter being deleted.)*

**Title 16—RETIREMENT SYSTEMS  
Division 10—The Public School Retirement System of Missouri  
Chapter 5—Retirement, Options and Benefits**

**PROPOSED AMENDMENT**

**16 CSR 10-5.020 Disability Retirement.** The retirement system is amending section (8) and adding a new section (10).

**PURPOSE:** *This amendment clarifies that the retirement system may request financial information from disability retirement recipients and sets forth the requirements and procedures when a disability retiree returns to work on a trial basis.*

(8) Any person who is receiving a disability retirement allowance from the retirement system and who has not attained age sixty (60) may not be employed in any capacity by a district included in the

**AUTHORITY:** section 169.020, RSMo Supp. [2009] 2012. Original rule filed Dec. 19, 1975, effective Jan. 1, 1976. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Feb. 15, 2013.

**PUBLIC COST:** *This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

**PRIVATE COST:** *This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

**NOTICE TO SUBMIT COMMENTS:** *Anyone may file a statement in support of or in opposition to this proposed amendment with the Public School and Education Employee Retirement Systems of Missouri, Attn: M. Steve Yoakum, Executive Director, P.O. Box 268, Jefferson City, MO 65102-0268. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.*

**Title 16—RETIREMENT SYSTEMS**  
**Division 10—The Public School Retirement System of Missouri**  
**Chapter 5—Retirement, Options and Benefits**

**PROPOSED AMENDMENT**

**16 CSR 10-5.030 Beneficiary.** The retirement system is amending section (15).

*PURPOSE: This amendment clarifies the application of section 169.076.2, RSMo.*

(15) Pursuant to section 169.076.2*J*, RSMo, the member's marriage, divorce, withdrawal of accumulated contributions, or the birth of the member's child, or the member's adoption of a child, shall result in an automatic revocation of the member's previous designation in its entirety only if such event occurred on or after August 28, 2005, and before the member's effective service retirement date.

*AUTHORITY: section 169.020, RSMo Supp. [2011] 2012. Original rule filed Dec. 19, 1975, effective Jan. 1, 1976. For intervening history, please consult the Code of State Regulations. Amended: Filed Feb. 15, 2013.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Public School and Education Employee Retirement Systems of Missouri, Attn: M. Steve Yoakum, Executive Director, PO Box 268, Jefferson City, MO 65102-0268. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 16—RETIREMENT SYSTEMS**  
**Division 10—The Public School Retirement System of Missouri**  
**Chapter 6—The Public Education Employee Retirement System of Missouri**

**PROPOSED AMENDMENT**

**16 CSR 10-6.070 Disability Retirement.** The retirement system is amending sections (1) and (7), adding a new section (8), and renumbering current section (8) to section (9).

*PURPOSE: This amendment deletes an unnecessary cross-reference, clarifies that the retirement system may request financial information from disability retirement recipients, and sets forth the requirements and procedures when a disability retiree returns to work on a trial basis.*

(1) A member claiming disability retirement must file a written application for retirement with the board of trustees on a form provided by the board. If a member, because of physical or mental disability, is unable to make application for disability retirement, the written application may be completed by a guardian or trustee designated by a court, and the completed application shall be accompanied by a certified copy of the court order designating the guardian or trustee. If a member indicates in his/her application for disability retirement [(see 16 CSR 10-5.020)] that s/he has applied for dis-

ability benefits provided by the Social Security Act, the Award Letter, or certified copy thereof, issued by the Social Security Administration, will serve as evidence that disability exists.

(7) Any person who is receiving a disability retirement allowance from the retirement system and who has not attained age sixty (60) may not be employed in any capacity by a district included in the retirement system and continue to receive the retirement allowance. Any such person may not be employed in any capacity for any other employer, the compensation for which employment would constitute a livelihood, and continue to receive the retirement allowance. The executive director, and/or the board of trustees, shall determine what constitutes a livelihood in such instance. **The recipient of disability benefits may be required to submit tax returns, W-2 forms, paycheck stubs, and other forms of documentation as evidence of continued eligibility for disability retirement.**

(8) A recipient of disability benefits may make a written request to the board of trustees to return to full-time or part-time employment on a trial basis. The written request shall include the proposed employer and the proposed start date of employment. The written request shall then either be approved or denied by the board of trustees. If the request is approved, the recipient's disability benefit shall be placed on hold by the board of trustees for the duration of the trial period, which is not to exceed twelve (12) calendar months. If the recipient is unable to complete his or her trial basis employment period, the recipient must provide written documentation to the board of trustees stating that he or she is not able to complete the trial period. The board of trustees may require the recipient to again submit to a periodic examination by physicians selected by the board of trustees to determine if the recipient remains incapable of earning a livelihood in any occupation. If determined to still be incapable of earning a livelihood in any occupation, the recipient shall again be considered a disability retiree and receive a disability retirement benefit without resubmitting an Application for Disability Retirement; any contributions paid to the retirement system by the recipient and his or her employer during the incomplete trial basis employment period will be refunded to the employer, which shall then refund its employee for any employee-paid contributions. The recipient shall receive no additional service credit for the incomplete trial basis employment period. If the recipient does successfully complete his or her trial basis employment, his or her disability retirement will be terminated and his or her membership status as of the date of the member's disability retirement shall be restored; any contributions paid by the recipient and his or her employer to the retirement system by the recipient and his or her employer during the trial basis employment period will be retained by the retirement system, and the recipient will be granted service credit for the trial basis employment period. In no event shall the recipient receive a benefit payment in the same calendar month in which the recipient either works for his or her trial basis employer or receives service credit.

[(8)](9) The surviving spouse[,] or children of a deceased disability retiree, or both, shall have the same rights to benefits under section 169.670, RSMo, as does the surviving spouse[,] or children, or both, of a member who dies while employed in a district included in the retirement system.

*AUTHORITY: section 169.610, RSMo Supp. [2009] 2012. Original rule filed Dec. 19, 1975, effective Jan. 1, 1976. Amended: Filed June 15, 1994, effective Nov. 30, 1994. Amended: Filed Oct. 15, 1997, effective April 30, 1998 Amended: Filed Jan. 4, 2010, effective July 1, 2010. Amended: Filed Feb. 15, 2013.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500)*

*in the aggregate.*

**PRIVATE COST:** *This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

**NOTICE TO SUBMIT COMMENTS:** *Anyone may file a statement in support of or in opposition to this proposed amendment with the Public School and Education Employee Retirement Systems of Missouri, Attn: M. Steve Yoakum, Executive Director, PO Box 268, Jefferson City, MO 65102-0268. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 16—RETIREMENT SYSTEMS**  
**Division 10—The Public School Retirement System of**  
**Missouri**  
**Chapter 6—The Public Education Employee Retirement**  
**System of Missouri**

**PROPOSED AMENDMENT**

**16 CSR 10-6.090 Beneficiary.** The retirement system is amending section (8).

**PURPOSE:** *This amendment clarifies the application of section 169.676.2, RSMo.*

(8) Pursuant to section 169.676.2*J*, RSMo, the member's marriage, divorce, withdrawal of accumulated contributions, or the birth of the member's child, or the member's adoption of a child, shall result in an automatic revocation of the member's previous designation in its entirety only if such event occurred on or after August 28, 2005, and before the member's effective service retirement date.

**AUTHORITY:** *section 169.610, RSMo Supp. [2011] 2012. Original rule filed Dec. 19, 1975, effective Jan. 1, 1976. For intervening history, please consult the Code of State Regulations. Amended: Filed Feb. 15, 2013.*

**PUBLIC COST:** *This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

**PRIVATE COST:** *This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

**NOTICE TO SUBMIT COMMENTS:** *Anyone may file a statement in support of or in opposition to this proposed amendment with the Public School and Education Employee Retirement Systems of Missouri, Attn: M. Steve Yoakum, Executive Director, PO Box 268, Jefferson City, MO 65102-0268. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

This section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order or rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the *Missouri Register*; an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted which has been changed from that contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than thirty (30) days after the date of publication of the revision to the *Code of State Regulations*.

The agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments which are opposed in whole or in part to the proposed rule. The ninety-(90-) day period during which an agency shall file its order of rulemaking for publication in the *Missouri Register* begins either: 1) after the hearing on the proposed rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

**Title 2—DEPARTMENT OF AGRICULTURE**  
**Division 30—Animal Health**  
**Chapter 2—Health Requirements for Movement of Livestock, Poultry, and Exotic Animals**

**ORDER OF RULEMAKING**

By the authority vested in the director of agriculture under section 267.645, RSMo 2000, the director amends a rule as follows:

**2 CSR 30-2.020 Movement of Livestock, Poultry, and Exotic Animals Within Missouri is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 3, 2012 (37 MoReg 1762-1765). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The Department of Agriculture received two (2) comments on the proposed amendment.

**COMMENT #1:** The Conservation Federation of Missouri considers the proposed amendment to be an important step to enhance the health of deer in Missouri and will improve surveillance in the state and requests the department to consider Chronic Wasting Disease (CWD) testing requirements for hunting preserves.

**RESPONSE:** The Missouri Department of Agriculture (MDA) appreciates the suggestion for mandatory CWD testing for hunting preserves. Currently the hunting preserves in Missouri have signed a voluntary agreement to test all imported cervids for CWD.

**COMMENT #2:** The Missouri Department of Conservation (MDC) supports the proposed amendment to ensure the health and sustainability of captive and free-ranging deer across the state. The Department of Conservation would like to see MDA to consider the language in subsections (6)(B) and (6)(C) and clarify how MDA intends to oversee and provide enforcement on this issue. Also in subsection (6)(E) MDC suggests that MDA place similar restrictions on breeding facilities and making a level of testing mandatory for hunting preserves.

**RESPONSE:** The Department of Agriculture has regulations in place to address these concerns and will continue to adhere to the current regulations and standards to control and contain disease (9 CFR Chapter 1, Subpart B, Parts 50, 51, and 55, USDA Uniform Methods and Rules (UM&R), the "Missouri Livestock Disease Control and Eradication Law," and the "Missouri Livestock Marketing Law") in the livestock markets. These standards will be followed in the event of a disease incident.

**Title 12—DEPARTMENT OF REVENUE**  
**Division 10—Director of Revenue**  
**Chapter 41—General Tax Provisions**

**ORDER OF RULEMAKING**

By the authority vested in the director of revenue under section 32.065, RSMo 2000, the director amends a rule as follows:

**12 CSR 10-41.010 Annual Adjusted Rate of Interest is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 3, 2012 (37 MoReg 1770-1773). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** No comments were received.

**Title 13—DEPARTMENT OF SOCIAL SERVICES**  
**Division 35—Children's Division**  
**Chapter 100—Tax Credits**

**ORDER OF RULEMAKING**

By the authority vested in the Children's Division under section 135.1150, RSMo Supp. 2012, the director withdraws a proposed amendment as follows:

**13 CSR 35-100.010 Residential Treatment Agency Tax Credit is withdrawn.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on November 1, 2012 (37 MoReg 1587-1592). The proposed amendment is withdrawn.

**SUMMARY OF COMMENTS:** At this time the department wishes to withdraw the proposed amendment and will re-promulgate the proposed amendment with the updated forms. This proposed amendment had changes made to the forms after the proposed amendment was filed with the Secretary of State. Therefore, this proposed amendment is withdrawn.

**Title 13—DEPARTMENT OF SOCIAL SERVICES  
Division 35—Children’s Division  
Chapter 100—Tax Credits**

**ORDER OF RULEMAKING**

By the authority vested in the Children’s Division under section 135.1180, RSMo Supp. 2012, the director adopts a rule as follows:

13 CSR 35-100.030 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on November 1, 2012 (37 MoReg 1592-1601). The form with changes is reprinted here; please note, changes have been made to the attached form (MO886-4499) to include various types of donations. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The director of the Children’s Division received one (1) comment on the proposed rule.

**COMMENT:** Staff noted that needed information was missing from the application form. It was noted that not all types of donations were included nor was the requirement to provide documentation for all donation types. In addition, a field was needed for information on contributions that include a benefit to the donor.

**RESPONSE AND EXPLANATION OF CHANGE:** The following changes have been made to the application for tax credit form. The division added boxes for additional types of donations as well as the requirement to include documentation for all donation types. In the Donor Information section, a field for donations that include a benefit to the donor was added. Because of these updates, the instruction sheet for the application was changed accordingly.

**13 CSR 35-100.030 Developmental Disability Care Provider Tax Credit**



MISSOURI DEPARTMENT OF SOCIAL SERVICES  
DEVELOPMENTAL DISABILITY CARE PROVIDER TAX CREDIT APPLICATION

ORGANIZATION NAME (RECEIVING THE DONATION)		CONTACT PERSON AND E-MAIL ADDRESS
ADDRESS		ACCREDITING AGENCY (COA - JCAHO - CARF)
TELEPHONE NUMBER	<input type="checkbox"/> DEPT. OF SOCIAL SERVICES CONTRACT <input type="checkbox"/> DEPT. OF MENTAL HEALTH CONTRACT    CONTRACT NUMBER:	
DONOR INFORMATION (ATTACH ADDITIONAL PAGES IF NEEDED)		
TAXPAYER TYPE (REQUIRES SUPPORTING DOCUMENTATION - SEE INSTRUCTIONS)		
<input type="checkbox"/> INDIVIDUAL <input type="checkbox"/> CORPORATION <input type="checkbox"/> PARTNERSHIP <input type="checkbox"/> S CORPORATION <input type="checkbox"/> LLC <input type="checkbox"/> CHARITABLE ORGANIZATION		<input type="checkbox"/> FINANCIAL INSTITUTION <input type="checkbox"/> INSURANCE COMPANY
TAXPAYER/BUSINESS NAME(S) (IF FILING MISSOURI JOINT INCOME TAX RETURN, BOTH SPOUSES' NAMES MUST BE LISTED)		TAXPAYER TELEPHONE NUMBER
TAXPAYER ADDRESS (ADDRESS, CITY, STATE, ZIP CODE)		TAXPAYER IDENTIFICATION NUMBER(S) (SOCIAL SECURITY NUMBER(S))
TYPE OF DONATION (ATTACH REQUIRED DOCUMENTATION)		
*REQUIRES SUPPORTING DOCUMENTATION - SEE INSTRUCTIONS		
<input type="checkbox"/> Cash* <input type="checkbox"/> Check/Money Order* <input type="checkbox"/> Credit Card* <input type="checkbox"/> Publicly Traded Stocks/Bonds* <input type="checkbox"/> Real Estate*		
AMOUNT OF DONATION	AMOUNT OF TAX CREDIT (50% OF THE DONATION)	DATE OF DONATION
CONTRIBUTIONS THAT INCLUDE A BENEFIT	BENEFIT DESCRIPTION	
	FAIR MARKET VALUE OF THE BENEFIT	
TAXPAYER TYPE (REQUIRES SUPPORTING DOCUMENTATION - SEE INSTRUCTIONS)		
<input type="checkbox"/> INDIVIDUAL <input type="checkbox"/> CORPORATION <input type="checkbox"/> PARTNERSHIP <input type="checkbox"/> S CORPORATION <input type="checkbox"/> LLC <input type="checkbox"/> CHARITABLE ORGANIZATION		<input type="checkbox"/> FINANCIAL INSTITUTION <input type="checkbox"/> INSURANCE COMPANY
TAXPAYER/BUSINESS NAME(S) (IF FILING MISSOURI JOINT INCOME TAX RETURN, BOTH SPOUSES' NAMES MUST BE LISTED)		TAXPAYER TELEPHONE NUMBER
TAXPAYER ADDRESS (ADDRESS, CITY, STATE, ZIP CODE)		TAXPAYER IDENTIFICATION NUMBER(S) (SOCIAL SECURITY NUMBER(S))
TYPE OF DONATION (ATTACH REQUIRED DOCUMENTATION)		
*REQUIRES SUPPORTING DOCUMENTATION - SEE INSTRUCTIONS		
<input type="checkbox"/> Cash* <input type="checkbox"/> Check/Money Order* <input type="checkbox"/> Credit Card* <input type="checkbox"/> Publicly Traded Stocks/Bonds* <input type="checkbox"/> Real Estate*		
AMOUNT OF DONATION	AMOUNT OF TAX CREDIT (50% OF THE DONATION)	DATE OF DONATION
CONTRIBUTIONS THAT INCLUDE A BENEFIT	BENEFIT DESCRIPTION	
	FAIR MARKET VALUE OF THE BENEFIT	
DONOR TOTALS (ALL PAGES)		
TOTAL NUMBER OF CERTIFICATES REQUESTED		TOTAL AMOUNT OF CREDITS REQUESTED (ENCLOSE REMITTANCE IN THE SAME AMOUNT)
<p>In accordance with section 135.1180 RSMo, I certify that the information provided above is true and accurate. On the dates indicated,  <hr style="width: 20%; margin-left: 0; border: 0.5px solid black; margin-bottom: 5px;"/>            accepted the indicated eligible donation(s) from the above named taxpayer(s).</p> <p>(ORGANIZATION NAME)</p> <p>Donations will be used solely to provide direct care services to persons with developmental disabilities who are residents of this state. Direct care services include but are not limited to increasing the quality of care and service for persons with developmental disabilities through improved employee compensation and training. I also understand the amount of the certificate will be reduced if it is determined the taxpayer has an outstanding balance owed to the Missouri Department of Revenue (Section 135.815 RSMo).</p> <p>EXECUTIVE DIRECTOR SIGNATURE</p> <p>PRINTED NAME</p> <p>DATE</p> <p>Certificates will be mailed directly to the taxpayer.  <i>All incomplete or inaccurate applications and payments will be returned to the Developmental Disability Care Provider.</i></p> <p>FOR OFFICIAL USE ONLY</p> <p>DSS APPROVAL</p> <p>DATE PROCESSED</p>		

TAXPAYER TYPE (*REQUIRES SUPPORTING DOCUMENTATION - SEE INSTRUCTIONS)				
<input type="checkbox"/> INDIVIDUAL <input type="checkbox"/> CORPORATION <input type="checkbox"/> PARTNERSHIP* <input type="checkbox"/> S CORPORATION* <input type="checkbox"/> LLC* <input type="checkbox"/> CHARITABLE ORGANIZATION*				
TAXPAYER/BUSINESS NAME(S) (IF FILING MISSOURI JOINT INCOME TAX RETURN, BOTH SPOUSES' NAMES MUST BE LISTED)				TAXPAYER TELEPHONE NUMBER
TAXPAYER ADDRESS (ADDRESS, CITY, STATE, ZIP CODE)		TAXPAYER IDENTIFICATION NUMBER(S) (SOCIAL SECURITY NUMBER(S))		
<b>TYPE OF DONATION (ATTACH REQUIRED DOCUMENTATION)</b>				
*REQUIRES SUPPORTING DOCUMENTATION - SEE INSTRUCTIONS				
<input type="checkbox"/> Cash* <input type="checkbox"/> Check/Money Order* <input type="checkbox"/> Credit Card* <input type="checkbox"/> Publicly Traded Stocks/Bonds* <input type="checkbox"/> Real Estate*				
AMOUNT OF DONATION		AMOUNT OF TAX CREDIT (50% OF THE DONATION)	DATE OF DONATION	
CONTRIBUTIONS THAT INCLUDE A BENEFIT		BENEFIT DESCRIPTION		FAIR MARKET VALUE OF THE BENEFIT
TAXPAYER TYPE (*REQUIRES SUPPORTING DOCUMENTATION - SEE INSTRUCTIONS)				
<input type="checkbox"/> INDIVIDUAL <input type="checkbox"/> CORPORATION <input type="checkbox"/> PARTNERSHIP* <input type="checkbox"/> S CORPORATION* <input type="checkbox"/> LLC* <input type="checkbox"/> CHARITABLE ORGANIZATION*				
TAXPAYER/BUSINESS NAME(S) (IF FILING MISSOURI JOINT INCOME TAX RETURN, BOTH SPOUSES' NAMES MUST BE LISTED)				TAXPAYER TELEPHONE NUMBER
TAXPAYER ADDRESS (ADDRESS, CITY, STATE, ZIP CODE)		TAXPAYER IDENTIFICATION NUMBER(S) (SOCIAL SECURITY NUMBER(S))		
<b>TYPE OF DONATION (ATTACH REQUIRED DOCUMENTATION)</b>				
*REQUIRES SUPPORTING DOCUMENTATION - SEE INSTRUCTIONS				
<input type="checkbox"/> Cash* <input type="checkbox"/> Check/Money Order* <input type="checkbox"/> Credit Card* <input type="checkbox"/> Publicly Traded Stocks/Bonds* <input type="checkbox"/> Real Estate*				
AMOUNT OF DONATION		AMOUNT OF TAX CREDIT (50% OF THE DONATION)	DATE OF DONATION	
CONTRIBUTIONS THAT INCLUDE A BENEFIT		BENEFIT DESCRIPTION		FAIR MARKET VALUE OF THE BENEFIT
TAXPAYER TYPE (*REQUIRES SUPPORTING DOCUMENTATION - SEE INSTRUCTIONS)				
<input type="checkbox"/> INDIVIDUAL <input type="checkbox"/> CORPORATION <input type="checkbox"/> PARTNERSHIP* <input type="checkbox"/> S CORPORATION* <input type="checkbox"/> LLC* <input type="checkbox"/> CHARITABLE ORGANIZATION*				
TAXPAYER/BUSINESS NAME(S) (IF FILING MISSOURI JOINT INCOME TAX RETURN, BOTH SPOUSES' NAMES MUST BE LISTED)				TAXPAYER TELEPHONE NUMBER
TAXPAYER ADDRESS (ADDRESS, CITY, STATE, ZIP CODE)		TAXPAYER IDENTIFICATION NUMBER(S) (SOCIAL SECURITY NUMBER(S))		
<b>TYPE OF DONATION (ATTACH REQUIRED DOCUMENTATION)</b>				
*REQUIRES SUPPORTING DOCUMENTATION - SEE INSTRUCTIONS				
<input type="checkbox"/> Cash* <input type="checkbox"/> Check/Money Order* <input type="checkbox"/> Credit Card* <input type="checkbox"/> Publicly Traded Stocks/Bonds* <input type="checkbox"/> Real Estate*				
AMOUNT OF DONATION		AMOUNT OF TAX CREDIT (50% OF THE DONATION)	DATE OF DONATION	
CONTRIBUTIONS THAT INCLUDE A BENEFIT		BENEFIT DESCRIPTION		FAIR MARKET VALUE OF THE BENEFIT



MISSOURI DEPARTMENT OF SOCIAL SERVICES

**DEVELOPMENTAL DISABILITY CARE PROVIDER TAX CREDIT APPLICATION****INSTRUCTIONS**

1. Provide the organization's **LEGAL** name; contact person; email address.
2. Provide the organization's physical address in addition to a P.O. Box (if applicable)
3. Provide the contract number listed on the contract with the Department of Social Services (DSS) or the Department of Mental Health (DMH). If the organization does not have a contract with DMH or DSS, please attach a copy of the certificate of accreditation from Council on Accreditation (COA), Joint Commission on Accreditation of Health Care Organizations (JCAHO), or Commission on Accreditation of Rehabilitation Facilities (CARF).
4. Taxpayer type - place an (X) in the appropriate box and provide supporting documentation indicated if applicable.

**Supporting Documentation:**

Partnerships, S Corporations and LLC's please provide a list of all shareholder names; social security numbers, and percentage of ownership.

Charitable organizations applying for tax credits under Section 135.1180, RSMo, must provide:

- proof the organization is exempt from federal income tax (copy of federal tax exemption certificate), and
- proof of business activities that are unrelated to its charitable activities of which Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143, RSMo (i.e. most recent Missouri State Income Tax Return). If the unrelated business activities do not generate Missouri business taxable income, an Executive Officer of the organization must provide an attestation indicating the organization's unrelated business activities do not generate taxable business income but if there were taxable business income, that income would be subject to the state tax imposed under chapter 143, RSMo (attach the Charitable Organization Attestation Form to the application).

5. Taxpayer name should be the complete name submitted on annual income tax returns.
6. Taxpayer identification is either the tax identification number or social security number.
7. Identify the type of donation made and provide supporting documentation (if applicable).

Verifying documentation must be attached to the tax credit application. The type of documentation required will depend on the type of donation. Required documentation includes the following:

- Cash – legible receipt from the developmental disability care provider which indicates the name and address of the organization; name, address and telephone number of the contributor; amount of the cash donation and the date the contribution was received; signature of a representative of the developmental disability care provider receiving the contribution.
- Check – photocopy of the cancelled check, front and back - if not possible then a copy of the original check and a receipt from the developmental disability care provider including the same information required of a cash donation.
- Credit Card – legible transaction receipt with the name and address of the developmental disability care provider; name, address, and telephone number of the contributor; amount and the date the contribution was received; signature of a representative of the developmental disability care provider receiving the contribution. Receipts should have the credit card account number blacked out.
- Money order or cashier's check – legible copy of the original document with the name and address of the developmental disability care provider, name, address and telephone number of the contributor; amount of the donation and the date the contribution was received;
- Values of publicly traded stocks and bonds must be determined by a reputable source (e.g. Wall Street Journal, NYSE, NASDAQ, etc.) Information required when submitting applications for tax credit shall include the source and date the stock was valued and how the bond amount was determined; and confirmation documentation of the transfer from the contributor's account to the qualifying developmental disability care provider.
- The values of contributions of real estate shall be equal to the lowest of at least two (2) qualified independent appraisals for commercial, vacant or residential property that has been determined to have a value of over \$25,000. Commercial, vacant or residential property having a value of \$25,000 or less will require only one (1) appraisal.
- Contributions that include a benefit to the donor – documentation required will depend on how the type of contribution was made (i.e. cash, check, etc.). The same information is required as described for those types of donations listed above. Additional information required includes the type of function or event from which the benefit was received, description of the benefit received (if an auction item, identify the item received), gross amount of the contribution, fair market value of the benefit, and how the fair market value of the benefit was determined.
- 8. Amount of donation is the total funds received or the total value of the donation after the fair market value of any benefit received is deducted (the eligible tax credit will be 50% of this amount).
- 9. Amount of tax credit is equal to 50% of the donation(s) received.
- 10. Number of certificates should be the total number of certificates requested to be issued.
- 11. Total amount of tax credits requested should be the total of the individual amounts submitted for each taxpayer. Submit payment to the Department of Social Services equal to this amount.
- 12. All applications and supporting documentation must be submitted to the Developmental Disability Care Provider for complete processing.



MISSOURI DEPARTMENT OF SOCIAL SERVICES  
**CHARITABLE ORGANIZATION ATTESTATION**

"I certify that \_\_\_\_\_ engages in unrelated business  
(ORGANIZATION NAME)  
activities of which do not generate Missouri unrelated business taxable income. If these activities did generate Missouri unrelated business taxable income, that income would be subject to the state income tax imposed under chapter 143, RSMo."

SIGNATURE

PRINTED NAME

TITLE

DATE

**Title 16—RETIREMENT SYSTEMS**  
**Division 10—The Public School Retirement System of Missouri**  
**Chapter 3—Funds of Retirement System**

**ORDER OF RULEMAKING**

By the authority vested in the board of trustees under section 169.020, RSMo Supp. 2012, the board of trustees hereby amends a rule of the public school retirement system of Missouri as follows:

**16 CSR 10-3.010 Payment of Funds to the Retirement System is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 3, 2012 (37 MoReg 1774). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 16—RETIREMENT SYSTEMS**  
**Division 10—The Public School Retirement System of Missouri**  
**Chapter 6—The Public Education Employee Retirement System of Missouri**

**ORDER OF RULEMAKING**

By the authority vested in the board of trustees under section 169.610, RSMo Supp. 2012, the board of trustees hereby amends a rule of the public school retirement system of Missouri as follows:

**16 CSR 10-6.020 Source of Funds is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 3, 2012 (37 MoReg 1774). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

This section may contain notice of hearings, correction notices, public information notices, rule action notices, statements of actual costs, and other items required to be published in the *Missouri Register* by law.

**Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES**  
**Division 60—Missouri Health Facilities Review Committee**  
**Chapter 50—Certificate of Need Program**

**NOTIFICATION OF REVIEW:  
APPLICATION REVIEW SCHEDULE**

The Missouri Health Facilities Review Committee has initiated review of the application listed below. A decision is tentatively scheduled for March 26, 2013. This application is available for public inspection at the address shown below:

**Date Filed**

**Project Number:** Project Name  
City (County)  
Cost, Description

**02/08/13**

**#4834 NT:** Oak Knoll Nursing Home  
Ferguson (St. Louis County)  
\$3,061,000, Renovate/Modernize 43-bed SNF and 23-bed ICF

Any person wishing to request a public hearing for the purpose of commenting on this application must submit a written request to this effect, which must be received by March 8, 2013. All written requests and comments should be sent to—

Chairman  
Missouri Health Facilities Review Committee  
c/o Certificate of Need Program  
3418 Knipp Drive, Suite F  
PO Box 570  
Jefferson City, MO 65102

For additional information contact  
Karla Houchins, (573) 751-6403.

**Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES**  
**Division 60—Missouri Health Facilities Review Committee**  
**Chapter 50—Certificate of Need Program**

**NOTIFICATION OF REVIEW:  
APPLICATION REVIEW SCHEDULE**

The Missouri Health Facilities Review Committee has initiated review of the applications listed below. A decision is tentatively scheduled for May 6, 2013. These applications are available for public inspection at the address shown below:

**Date Filed**

**Project Number:** Project Name  
City (County)  
Cost, Description

**02/21/13**

**#4863 RS:** Winchester Meadows Assisted Living II  
Sedalia (Pettis County)  
\$3,446,935, Add 32 ALF beds

**#4889 RS:** Southview Assisted Living  
Affton (St. Louis County)  
\$0, Add 12 ALF beds

**#4891 RS:** Westview at Ellisville Assisted Living  
Ellisville (St. Louis County)  
\$0, Add 10 ALF beds

**#4893 HS:** Barnes-Jewish Hospital  
St. Louis (St. Louis City)  
\$10,520,000, Acquire PET/MRI Unit

**02/22/13**

**#4901 RS:** Valley View Assisted Living  
Lee's Summit (Jackson County)  
\$3,352,052, Establish 50-bed ALF

**#4892 NS:** Lutheran Senior Services at Breeze Park  
St. Charles (St. Charles County)  
\$3,960,750, Add 16 SNF beds

**#4895 RS:** Primrose Retirement Community of Kansas City  
Kansas City (Platte County)  
\$3,021,556, Establish 40-bed ALF

**#4896 RS:** Primrose Retirement Community of Jefferson City  
Jefferson City (Cole County)  
\$4,917,430, Establish 45-bed ALF

Any person wishing to request a public hearing for the purpose of commenting on these applications must submit a written request to this effect, which must be received by March 22, 2013. All written requests and comments should be sent to—

Chairman  
Missouri Health Facilities Review Committee  
c/o Certificate of Need Program  
3418 Knipp Drive, Suite F  
PO Box 570  
Jefferson City, MO 65102

For additional information contact  
Karla Houchins, (573) 751-6403.

**ADDITION TO STATUTORY LIST OF CONTRACTORS  
BARRED FROM PUBLIC WORKS PROJECTS**

The following is an addition to the list of contractor(s) who have been prosecuted and convicted of violating the Missouri Prevailing Wage Law, and whose Notice of Conviction has been filed with the Secretary of State pursuant to Section 290.330, RSMo. Under this statute, no public body is permitted to award a contract, directly or indirectly, for public works (1) to David E. Mollohan, (2) to any other contractor or subcontractor that is owned, operated or controlled by Mr. David E Mollohan including M & D Excavating or (3) to any other simulation of Mr. David E Mollohan or of M & D Excavating for a period of one year, or until January 10, 2014.

Name of Contractor	Name of Officers	Address	Date of Conviction	Debarment Period
David E. Mollohan d/b/a M & D Excavating Case No. 11WCR-CR00453 Wright County Cir. Ct.		1448 Kaylor Road Mountain Grove, MO 65711	1/10/2013	1/10/2013-1/10/2014

Dated this 28 day of January, 2013.



Robert A. Bedell, Acting Division Director

The Secretary of State is required by sections 347.141 and 359.481, RSMo 2000, to publish dissolutions of limited liability companies and limited partnerships. The content requirements for the one-time publishing of these notices are prescribed by statute. This listing is published pursuant to these statutes. We request that documents submitted for publication in this section be submitted in camera ready 8 1/2" x 11" manuscript by email to [dissolutions@sos.mo.gov](mailto:dissolutions@sos.mo.gov).

**Notice of Corporate Dissolution  
To All Creditors of and  
Claimants Against  
FIVE STAR READY-MIX CONCRETE COMPANY**

On February 1, 2013, FIVE STAR READY-MIX CONCRETE COMPANY a Missouri corporation, filed its Articles of Dissolution with the Missouri Secretary of State. Dissolution was effective on November 3, 2010.

Said corporation requests that all persons and organizations who have claims against it present them immediately by letter to the corporation at:

**FIVE STAR READY-MIX CONCRETE COMPANY**  
Attn: Homer Cooksey  
541 Fee Fee Road  
Maryland Heights, MO 63043

Or

Anthony J. Soukenik, Esq.  
Sandberg Phoenix & von Gontard P.C.  
600 Washington Avenue, 15<sup>th</sup> Floor  
St. Louis, MO 63101

All claims must include the name and address of the claimant; the amount claimed; the basis for the claim; and the date(s) on which the event(s) on which the claim is based occurred.

**NOTICE:** Because of the dissolution of FIVE STAR READY-MIX CONCRETE COMPANY, any claims against it will be barred unless a proceeding to enforce the claim is commenced within two years after the publication date of the two notices authorized by statute, whichever is published last.

**NOTICE OF WINDING UP OF LIMITED LIABILITY COMPANY**

To: All creditors of and claimants against VETERINARY HOSPITALS OF BLUE SPRINGS, LLC, a Missouri limited liability company, ("Company").

On December 5, 2012, VETERINARY HOSPITALS OF BLUE SPRINGS, LLC, Charter Number LC1189465, filed its notice of winding up with the Missouri Secretary of State.

Said limited liability company requests that all persons and organizations who have claims against it present them immediately by letter to Chinnery Evans & Nail, P.C., c/o Gayle Evans, 800 NE Vanderbilt Lane, Lee's Summit, Missouri 64064.

All claims must include the following information:

1. Name and current address of the claimant.
2. The amount claimed.
3. The clear and concise statement of the facts supporting the claim.
4. The date the claim was incurred.

NOTICE: Because of the winding up of VETERINARY HOSPITALS OF BLUE SPRINGS, LLC, any claims against it will be barred unless a proceeding to enforce the claim is commenced within three years after the publication of the two notices authorized by statute, whichever is published last.

NOTE: CLAIMS AGAINST VETERINARY HOSPITALS OF BLUE SPRINGS, LLC, WILL BE BARRED UNLESS A PROCEEDING TO ENFORCE THE CLAIM IS COMMENCED WITHIN THREE YEARS AFTER THE PUBLICATION OF THIS NOTICE.

**NOTICE OF WINDING UP OF LIMITED LIABILITY COMPANY  
TO ALL CREDITORS OF AND CLAIMANTS AGAINST  
SELECT MEDICAL GROUP, L.L.C.**

On February 6, 2013, SELECT MEDICAL GROUP, L.L.C., a Missouri limited liability company ("Company"), filed its Notice of Winding Up with the Missouri Secretary of State, effective on the filing date.

All persons and organizations must submit to Company, c/o Frank C. Carnahan, Carnahan, Evans, Cantwell & Brown, P.C., 2805 S. Ingram Mill, Springfield, Missouri 65804, a written summary of any claims against Company, including: 1) claimant's name, address and telephone number; 2) amount of claim; 3) date(s) claim accrued (or will accrue); 4) brief description of the nature of the debt or the basis for the claim; and 5) if the claim is secured, and if so, the collateral used as security.

Because of the dissolution, any claims against Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the last of filing or publication of this Notice.

**NOTICE OF DISSOLUTION  
TO ALL CREDITORS OF  
AND CLAIMANTS AGAINST  
THE OLD ENGLISH PINE COMPANY**

On January 30, 2013, THE OLD ENGLISH PINE COMPANY, a Missouri corporation ("Corporation"), filed its Articles of Dissolution with the Missouri Secretary of State. The dissolution was effective on January 30, 2013.

All claims must include: the name, address and telephone number of the claimant; the amount claimed; the basis of the claim; the date(s) on which the events occurred which provided the basis for the claim; and copies of any other supporting data. Claims should be in writing and mailed to the Corporation in care of JAMES A. BECKEMEIER, Attorney-at-Law, 13421 Manchester Road, Suite 103, St. Louis, MO 63131.

Any claim against the Corporation will be barred unless a proceeding to enforce the claim is commenced within two years after the publication of this notice.

**NOTICE OF WINDING UP OF LIMITED LIABILITY COMPANY TO ALL  
CREDITORS OF AND CLAIMANTS AGAINST KOM ENGINEERING, LLC**

On December 3, 2012, KOM Engineering, LLC, a Missouri Limited Liability Company, filed its Notice of Winding up for Limited Liability Company with the Missouri Secretary of State. Said notice was effective on December 3, 2012.

KOM ENGINEERING, LLC requests that all persons and organizations who have claims against it present them by letter to said LLC to the attention of Judy C. Moore, Flanigan, Lasley & Moore, LLP, Carthage, Missouri 64836. All claims must include the following information:

1. The name, address and telephone number of the claimant.
2. The amount of the claim.
3. The date or dates upon which the event forming the basis of the claim occurred.
4. A brief description of the nature of the debt or the basis for the claim, together with any documentation thereof.
5. Whether the claim is secured and, if so, the collateral used as security.

Pursuant to RSMo. §347.141, any claims against KOM ENGINEERING, LLC will be barred unless a proceeding to enforce the claim is commenced within three years after the publication date of this notice.

**Notice of Corporate Dissolution  
To All Creditors of and  
Claimants Against  
SCHAEFER-MEYER GRADING DIVISION, INC.**

On February 5, 2013, SCHAEFER-MEYER GRADING DIVISION, INC. a Missouri corporation, filed its Articles of Dissolution with the Missouri Secretary of State. Dissolution was effective on December 31, 2012.

Said corporation requests that all persons and organizations who have claims against it present them immediately by letter to the corporation at:

**SCHAEFER-MEYER GRADING DIVISION, INC.  
Attn: Cynthia McClintock  
13789 LeSabre Drive  
Florissant, MO 63034**

Or

**Anthony J. Soukenik, Esq.  
Sandberg Phoenix & von Gontard P.C.  
600 Washington Avenue, 15<sup>th</sup> Floor  
St. Louis, MO 63101**

All claims must include the name and address of the claimant; the amount claimed; the basis for the claim; and the date(s) on which the event(s) on which the claim is based occurred.

**NOTICE: Because of the dissolution of SCHAEFER-MEYER GRADING DIVISION, INC., any claims against it will be barred unless a proceeding to enforce the claim is commenced within two years after the publication date of the two notices authorized by statute, whichever is published last.**

**Notice of Winding Up of Limited Liability Company  
to All Creditors of and All Claimants Against  
RRMD, LLC**

On February 8, 2013, RRMD, LLC, a Missouri limited liability company (the "Company"), filed its Notice of Winding Up for a Limited Liability Company with the Missouri Secretary of State.

Any claims against the Company must be sent to: F.M. Compton, VP, US Trust, 901 Main Street, TX1-492-12-02, Dallas, Texas 75202. Each claim must include the name, address and phone number of claimant; amount and nature of claim; date on which the claim arose; and any claim documentation.

All claims against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the date of publication of this notice.

**NOTICE OF WINDING UP  
TO ALL CREDITORS AND CLAIMANTS AGAINST  
WEBER GAS ENERGY, LLC**

WEBER GAS ENERGY, LLC, a Missouri limited liability company, plans to dissolve and has filed a Notice of Winding Up on February 4, 2013. Any and all claims against WEBER GAS ENERGY, LLC should be forwarded to Dale Hoette, c/o Fred Weber, Inc., 2320 Creve Coeur Mill Road, P.O. Box 2501, Maryland Heights, Missouri 63043. Each claim should include the following: (i) the name, address and telephone number of the claimant; (ii) the amount of the claim; (iii) the basis for the claim; and (iv) documentation of the claim. Any claims against WEBER GAS ENERGY, LLC will be barred unless a proceeding to enforce the claim is commenced within three years after the publication of this notice.

**NOTICE OF WINDING UP  
TO ALL CREDITORS AND CLAIMANTS AGAINST  
F.W. WEBCO, L.L.C.**

F.W. WEBCO, L.L.C., a Missouri limited liability company, plans to dissolve and has filed a Notice of Winding Up on February 4, 2013. Any and all claims against F.W. WEBCO, L.L.C. should be forwarded to Dale Hoette, c/o Fred Weber, Inc., 2320 Creve Coeur Mill Road, P.O. Box 2501, Maryland Heights, Missouri 63043. Each claim should include the following: (i) the name, address and telephone number of the claimant; (ii) the amount of the claim; (iii) the basis for the claim; and (iv) documentation of the claim. Any claims against F.W. WEBCO, L.L.C. will be barred unless a proceeding to enforce the claim is commenced within three years after the publication of this notice.

This cumulative table gives you the latest status of rules. It contains citations of rulemakings adopted or proposed after deadline for the monthly Update Service to the *Code of State Regulations*, citations are to volume and page number in the *Missouri Register*, except for material in this issue. The first number in the table cite refers to the volume number or the publication year—37 (2012) and 38 (2013). MoReg refers to *Missouri Register* and the numbers refer to a specific *Register* page, R indicates a rescission, W indicates a withdrawal, S indicates a statement of actual cost, T indicates an order terminating a rule, N.A. indicates not applicable, RAN indicates a rule action notice, RUC indicates a rule under consideration, and F indicates future effective date.

Rule Number	Agency	Emergency	Proposed	Order	In Addition
<b>OFFICE OF ADMINISTRATION</b>					
1 CSR 10	State Officials' Salary Compensation Schedule				37 MoReg 1859
1 CSR 10-15.010	Commissioner of Administration	38 MoReg 5	38 MoReg 7		
<b>DEPARTMENT OF AGRICULTURE</b>					
2 CSR 30-2.020	Animal Health	37 MoReg 1699	37 MoReg 1762	This Issue	
2 CSR 30-10.010	Animal Health	38 MoReg 5	38 MoReg 82		
2 CSR 70-11.070	Plant Industries	37 MoReg 1637	37 MoReg 1640	38 MoReg 430	
2 CSR 90-10	Weights and Measures				37 MoReg 1197
<b>DEPARTMENT OF CONSERVATION</b>					
3 CSR 10-7.431	Conservation Commission		38 MoReg 248		
3 CSR 10-7.455	Conservation Commission		38 MoReg 248		38 MoReg 212
<b>DEPARTMENT OF ECONOMIC DEVELOPMENT</b>					
4 CSR 195-6.010	Division of Workforce Development		38 MoReg 171		
4 CSR 195-6.020	Division of Workforce Development		38 MoReg 171		
4 CSR 195-6.030	Division of Workforce Development		38 MoReg 172		
4 CSR 195-6.040	Division of Workforce Development		38 MoReg 173		
4 CSR 195-6.050	Division of Workforce Development		38 MoReg 173		
4 CSR 240-40.020	Public Service Commission		38 MoReg 82		
4 CSR 240-40.030	Public Service Commission		38 MoReg 86		
4 CSR 240-40.080	Public Service Commission		38 MoReg 99		
<b>DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION</b>					
5 CSR 20-100.255	Division of Learning Services		37 MoReg 1571		
5 CSR 20-100.260	Division of Learning Services		38 MoReg 99		
5 CSR 20-200.280	Division of Learning Services		37 MoReg 1766		
5 CSR 20-400.270	Division of Learning Services		38 MoReg 105		
5 CSR 20-400.280	Division of Learning Services		37 MoReg 1643		
5 CSR 20-400.310	Division of Learning Services		37 MoReg 1450	38 MoReg 370	
5 CSR 20-400.340	Division of Learning Services		37 MoReg 1453R	38 MoReg 370R	
5 CSR 20-400.350	Division of Learning Services		37 MoReg 1453R	38 MoReg 370R	
5 CSR 20-400.420	Division of Learning Services		37 MoReg 1453R	38 MoReg 370R	
5 CSR 20-400.440	Division of Learning Services		37 MoReg 1453	38 MoReg 371	
5 CSR 20-600.130	Division of Learning Services		37 MoReg 1457	38 MoReg 373	
<b>DEPARTMENT OF HIGHER EDUCATION</b>					
6 CSR 10-2.190	Commissioner of Higher Education		38 MoReg 174		
<b>DEPARTMENT OF TRANSPORTATION</b>					
7 CSR 10-7.020	Missouri Highways and Transportation Commission		38 MoReg 427		
7 CSR 10-7.030	Missouri Highways and Transportation Commission		38 MoReg 427		
7 CSR 10-25.010	Missouri Highways and Transportation Commission				38 MoReg 431
<b>DEPARTMENT OF NATURAL RESOURCES</b>					
10 CSR 10-1.010	Air Conservation Commission		37 MoReg 1646		
10 CSR 10-2.330	Air Conservation Commission		37 MoReg 1769		
10 CSR 10-6.191	Air Conservation Commission		37 MoReg 1460		
10 CSR 10-6.368	Air Conservation Commission		37 MoReg 1460R		
10 CSR 23-1.075	Division of Geology and Land Survey		38 MoReg 283		
10 CSR 40-3.040	Land Reclamation Commission		38 MoReg 177		
10 CSR 40-3.060	Land Reclamation Commission		38 MoReg 178		
10 CSR 40-3.170	Land Reclamation Commission		38 MoReg 178		
10 CSR 40-3.180	Land Reclamation Commission		38 MoReg 178		
10 CSR 40-3.200	Land Reclamation Commission		38 MoReg 179		
10 CSR 40-3.210	Land Reclamation Commission		38 MoReg 181		
10 CSR 40-3.220	Land Reclamation Commission		38 MoReg 181		
10 CSR 40-3.230	Land Reclamation Commission		38 MoReg 182		
10 CSR 40-3.240	Land Reclamation Commission		38 MoReg 182		
10 CSR 40-3.260	Land Reclamation Commission		38 MoReg 182		
10 CSR 40-3.300	Land Reclamation Commission		38 MoReg 183		
10 CSR 40-6.020	Land Reclamation Commission		38 MoReg 183		
10 CSR 40-6.030	Land Reclamation Commission		38 MoReg 184		
10 CSR 40-6.040	Land Reclamation Commission		38 MoReg 184		
10 CSR 40-6.050	Land Reclamation Commission		38 MoReg 185		
10 CSR 40-6.060	Land Reclamation Commission		38 MoReg 185		
10 CSR 40-6.070	Land Reclamation Commission		38 MoReg 186		
10 CSR 40-6.100	Land Reclamation Commission		38 MoReg 187		
10 CSR 40-6.110	Land Reclamation Commission		38 MoReg 187		
10 CSR 40-6.120	Land Reclamation Commission		38 MoReg 188		
10 CSR 40-7.050	Land Reclamation Commission		38 MoReg 189		
10 CSR 40-8.010	Land Reclamation Commission		38 MoReg 190		
10 CSR 40-8.020	Land Reclamation Commission		38 MoReg 195		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
10 CSR 40-8.070	Land Reclamation Commission		38 MoReg 195		
10 CSR 100-2.010	Petroleum Storage Tank Insurance Fund Board of Trustees		37 MoReg 1395	38 MoReg 251	
10 CSR 100-4.010	Petroleum Storage Tank Insurance Fund Board of Trustees		37 MoReg 1395	38 MoReg 251	
10 CSR 100-4.020	Petroleum Storage Tank Insurance Fund Board of Trustees		37 MoReg 1397	38 MoReg 251	
10 CSR 140-2	Division of Energy				38 MoReg 432
<b>DEPARTMENT OF PUBLIC SAFETY</b>					
11 CSR 30-14.010	Office of the Director	38 MoReg 243	38 MoReg 249		
11 CSR 45-4.050	Missouri Gaming Commission		37 MoReg 1461R	38 MoReg 375R	
11 CSR 45-4.055	Missouri Gaming Commission		37 MoReg 1461	38 MoReg 375	
11 CSR 45-4.190	Missouri Gaming Commission		37 MoReg 1462	38 MoReg 377	
11 CSR 45-4.205	Missouri Gaming Commission		37 MoReg 1462	38 MoReg 377	
11 CSR 45-4.240	Missouri Gaming Commission		37 MoReg 1462	38 MoReg 377	
11 CSR 45-4.250	Missouri Gaming Commission		37 MoReg 1463	38 MoReg 377	
11 CSR 45-4.260	Missouri Gaming Commission		37 MoReg 1463	38 MoReg 377	
11 CSR 45-4.380	Missouri Gaming Commission		37 MoReg 1463	38 MoReg 378	
11 CSR 45-4.390	Missouri Gaming Commission		37 MoReg 1464	38 MoReg 378	
11 CSR 45-5.184	Missouri Gaming Commission		37 MoReg 1464	38 MoReg 378	
11 CSR 45-5.193	Missouri Gaming Commission		37 MoReg 1583		
11 CSR 45-8.130	Missouri Gaming Commission		37 MoReg 1466	38 MoReg 379	
11 CSR 45-9.105	Missouri Gaming Commission		37 MoReg 1583		
11 CSR 45-9.106	Missouri Gaming Commission		37 MoReg 1770		
11 CSR 45-9.118	Missouri Gaming Commission		37 MoReg 1587		
11 CSR 45-9.120	Missouri Gaming Commission		37 MoReg 1770		
11 CSR 50-3.100	Missouri State Highway Patrol	37 MoReg 1439	37 MoReg 1472		
<b>DEPARTMENT OF REVENUE</b>					
12 CSR 10-24.462	Director of Revenue		37 MoReg 1533R	38 MoReg 251R	
12 CSR 10-41.010	Director of Revenue	37 MoReg 1701	37 MoReg 1770	This Issue	
12 CSR 10-41.025	Director of Revenue		38 MoReg 284		
12 CSR 10-41.030	Director of Revenue		38 MoReg 285		
12 CSR 10-104.030	Director of Revenue		38 MoReg 286		
12 CSR 30-3.065	State Tax Commission		38 MoReg 429		
<b>DEPARTMENT OF SOCIAL SERVICES</b>					
13 CSR 35-100.010	Children's Division		37 MoReg 1587	This IssueW	
13 CSR 35-100.030	Children's Division		37 MoReg 1592	This Issue	
<b>ELECTED OFFICIALS</b>					
15 CSR 50-4.030	Treasurer	38 MoReg 425	38 MoReg 429		
<b>RETIREMENT SYSTEMS</b>					
16 CSR 10-3.010	The Public School Retirement System of Missouri		37 MoReg 1774	This Issue	
16 CSR 10-5.020	The Public School Retirement System of Missouri		This Issue		
16 CSR 10-5.030	The Public School Retirement System of Missouri		This Issue		
16 CSR 10-6.020	The Public School Retirement System of Missouri		37 MoReg 1774	This Issue	
16 CSR 10-6.070	The Public School Retirement System of Missouri		This Issue		
16 CSR 10-6.090	The Public School Retirement System of Missouri		This Issue		
16 CSR 50-2.120	The County Employees' Retirement Fund		37 MoReg 1533	38 MoReg 379	
16 CSR 50-10.030	The County Employees' Retirement Fund		37 MoReg 1534	38 MoReg 379	
16 CSR 50-10.050	The County Employees' Retirement Fund		37 MoReg 1534	38 MoReg 379	
16 CSR 50-10.080	The County Employees' Retirement Fund		37 MoReg 1535	38 MoReg 379	
16 CSR 50-10.090	The County Employees' Retirement Fund		37 MoReg 1535	38 MoReg 380	
16 CSR 50-20.120	The County Employees' Retirement Fund		37 MoReg 1535	38 MoReg 380	
<b>DEPARTMENT OF HEALTH AND SENIOR SERVICES</b>					
19 CSR 30-40.710	Division of Regulation and Licensure		37 MoReg 1889		
19 CSR 30-40.720	Division of Regulation and Licensure		37 MoReg 1891		
19 CSR 30-40.730	Division of Regulation and Licensure		37 MoReg 1907		
19 CSR 30-40.740	Division of Regulation and Licensure		37 MoReg 2073		
19 CSR 30-40.750	Division of Regulation and Licensure		37 MoReg 2075		
19 CSR 30-40.760	Division of Regulation and Licensure		37 MoReg 2097		
19 CSR 30-40.770	Division of Regulation and Licensure		37 MoReg 2284		
19 CSR 30-40.780	Division of Regulation and Licensure		37 MoReg 2284		
19 CSR 30-40.790	Division of Regulation and Licensure		37 MoReg 2285		
19 CSR 60-50	Missouri Health Facilities Review Committee				38 MoReg 253
					This Issue
					This Issue
<b>DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION</b>					
20 CSR	Applied Behavior Analysis Maximum Benefit				37 MoReg 472
					38 MoReg 432
20 CSR	Construction Claims Binding Arbitration Cap				37 MoReg 62
					38 MoReg 147

**Rule Changes Since Update**March 15, 2013  
Vol. 38, No. 6

Rule Number	Agency	Emergency	Proposed	Order	In Addition
20 CSR	Sovereign Immunity Limits				37 MoReg 62 38 MoReg 147
20 CSR	State Legal Expense Fund Cap				37 MoReg 62 38 MoReg 147
20 CSR 2165-2.025	Board of Examiners for Hearing Instrument Specialists		38 MoReg 290		
20 CSR 2165-2.030	Board of Examiners for Hearing Instrument Specialists		38 MoReg 293		
20 CSR 2200-2.001	State Board of Nursing		38 MoReg 293		
20 CSR 2200-2.010	State Board of Nursing		38 MoReg 294		
20 CSR 2200-2.020	State Board of Nursing		38 MoReg 296		
20 CSR 2200-2.030	State Board of Nursing		38 MoReg 296		
20 CSR 2200-2.035	State Board of Nursing		38 MoReg 297		
20 CSR 2200-2.040	State Board of Nursing		38 MoReg 297		
20 CSR 2200-2.060	State Board of Nursing		38 MoReg 297		
20 CSR 2200-2.070	State Board of Nursing		38 MoReg 300		
20 CSR 2200-2.080	State Board of Nursing		38 MoReg 300		
20 CSR 2200-2.085	State Board of Nursing		38 MoReg 300		
20 CSR 2200-2.090	State Board of Nursing		38 MoReg 301		
20 CSR 2200-2.100	State Board of Nursing		38 MoReg 301		
20 CSR 2200-2.110	State Board of Nursing		38 MoReg 303		
20 CSR 2200-2.120	State Board of Nursing		38 MoReg 303		
20 CSR 2200-2.130	State Board of Nursing		38 MoReg 303		
20 CSR 2200-2.180	State Board of Nursing		38 MoReg 304		
20 CSR 2200-3.001	State Board of Nursing		38 MoReg 304		
20 CSR 2200-3.010	State Board of Nursing		38 MoReg 305		
20 CSR 2200-3.020	State Board of Nursing		38 MoReg 307		
20 CSR 2200-3.030	State Board of Nursing		38 MoReg 307		
20 CSR 2200-3.035	State Board of Nursing		38 MoReg 308		
20 CSR 2200-3.040	State Board of Nursing		38 MoReg 308		
20 CSR 2200-3.060	State Board of Nursing		38 MoReg 308		
20 CSR 2200-3.070	State Board of Nursing		38 MoReg 311		
20 CSR 2200-3.080	State Board of Nursing		38 MoReg 311		
20 CSR 2200-3.085	State Board of Nursing		38 MoReg 311		
20 CSR 2200-3.090	State Board of Nursing		38 MoReg 312		
20 CSR 2200-3.100	State Board of Nursing		38 MoReg 312		
20 CSR 2200-3.110	State Board of Nursing		38 MoReg 313		
20 CSR 2200-3.120	State Board of Nursing		38 MoReg 314		
20 CSR 2200-3.130	State Board of Nursing		38 MoReg 314		
20 CSR 2200-3.180	State Board of Nursing		38 MoReg 315		
20 CSR 2220-2.017	State Board of Pharmacy		38 MoReg 315		
20 CSR 2220-2.018	State Board of Pharmacy		38 MoReg 316		
20 CSR 2220-2.030	State Board of Pharmacy		38 MoReg 316R		
20 CSR 2220-2.032	State Board of Pharmacy		38 MoReg 317R		
20 CSR 2220-2.034	State Board of Pharmacy		38 MoReg 317R		
20 CSR 2220-2.036	State Board of Pharmacy		38 MoReg 317R		
20 CSR 2220-2.080	State Board of Pharmacy		38 MoReg 318		
20 CSR 2220-2.083	State Board of Pharmacy		38 MoReg 319		
20 CSR 2220-2.100	State Board of Pharmacy		38 MoReg 320R		
20 CSR 2220-2.450	State Board of Pharmacy		38 MoReg 320R		
20 CSR 2220-6.100	State Board of Pharmacy		37 MoReg 2286		
20 CSR 2220-7.010	State Board of Pharmacy		38 MoReg 321		
20 CSR 2220-7.025	State Board of Pharmacy		38 MoReg 325		
20 CSR 2220-7.027	State Board of Pharmacy		38 MoReg 332		
20 CSR 2220-7.030	State Board of Pharmacy		38 MoReg 336		
20 CSR 2220-7.040	State Board of Pharmacy		38 MoReg 341		
20 CSR 2220-7.050	State Board of Pharmacy		38 MoReg 347		
20 CSR 2220-7.060	State Board of Pharmacy		38 MoReg 352		
20 CSR 2220-7.070	State Board of Pharmacy		38 MoReg 354		
20 CSR 2220-7.080	State Board of Pharmacy		38 MoReg 358		
20 CSR 2220-7.090	State Board of Pharmacy		38 MoReg 365		
20 CSR 2245-1.010	Real Estate Appraisers		37 MoReg 2299		
20 CSR 2245-2.010	Real Estate Appraisers		37 MoReg 2299		
20 CSR 2245-3.001	Real Estate Appraisers		37 MoReg 2299		
20 CSR 2245-3.005	Real Estate Appraisers		37 MoReg 2300		
20 CSR 2245-3.010	Real Estate Appraisers		37 MoReg 2304		
20 CSR 2245-4.050	Real Estate Appraisers		37 MoReg 2305		
20 CSR 2245-5.020	Real Estate Appraisers		37 MoReg 2305		
20 CSR 2245-6.016	Real Estate Appraisers		37 MoReg 2313		
20 CSR 2245-10.010	Real Estate Appraisers		37 MoReg 2315		
20 CSR 2245-10.020	Real Estate Appraisers		37 MoReg 2316		
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20 CSR 2245-10.040	Real Estate Appraisers		37 MoReg 2318		
20 CSR 2263-1.040	State Committee for Social Workers	37 MoReg 1561	37 MoReg 1601	38 MoReg 205	
20 CSR 2270-2.060	Missouri Veterinary Medical Board		38 MoReg 368		
20 CSR 2270-2.072	Missouri Veterinary Medical Board		37 MoReg 1605	38 MoReg 252	
20 CSR 2270-3.030	Missouri Veterinary Medical Board		38 MoReg 368		
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22 CSR 10-2.010	Health Care Plan	37 MoReg 1701	37 MoReg 1774
22 CSR 10-2.020	Health Care Plan	37 MoReg 1705R	37 MoReg 1778R
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22 CSR 10-2.030	Health Care Plan		37 MoReg 1790

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22 CSR 10-2.045	Health Care Plan	37 MoReg 1715	37 MoReg 1794		
22 CSR 10-2.051	Health Care Plan	37 MoReg 1716	37 MoReg 1795		
22 CSR 10-2.052	Health Care Plan	37 MoReg 1717	37 MoReg 1795		
22 CSR 10-2.053	Health Care Plan	37 MoReg 1717	37 MoReg 1796		
22 CSR 10-2.054	Health Care Plan		37 MoReg 1800		
22 CSR 10-2.055	Health Care Plan	37 MoReg 1719	37 MoReg 1800		
22 CSR 10-2.060	Health Care Plan	37 MoReg 1724	37 MoReg 1808		
22 CSR 10-2.070	Health Care Plan	37 MoReg 1726	37 MoReg 1809		
22 CSR 10-2.075	Health Care Plan	37 MoReg 1727	37 MoReg 1809		
22 CSR 10-2.080	Health Care Plan		37 MoReg 1812		
22 CSR 10-2.090	Health Care Plan	37 MoReg 1729	37 MoReg 1812		
22 CSR 10-2.091	Health Care Plan	37 MoReg 1732R	37 MoReg 1818R		
22 CSR 10-2.094	Health Care Plan	37 MoReg 1440	37 MoReg 1474	38 MoReg 205	
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22 CSR 10-2.110	Health Care Plan	37 MoReg 1441	37 MoReg 1477	38 MoReg 206	
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22 CSR 10-2.120	Health Care Plan	37 MoReg 1446	37 MoReg 1484	38 MoReg 210	
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22 CSR 10-2.130	Health Care Plan	37 MoReg 1732	37 MoReg 1818		
22 CSR 10-3.010	Health Care Plan	37 MoReg 1733	37 MoReg 1820		
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22 CSR 10-3.045	Health Care Plan	37 MoReg 1743	37 MoReg 1834		
22 CSR 10-3.053	Health Care Plan	37 MoReg 1744	37 MoReg 1835		
22 CSR 10-3.054	Health Care Plan	37 MoReg 1745	37 MoReg 1836		
22 CSR 10-3.055	Health Care Plan	37 MoReg 1746	37 MoReg 1836		
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22 CSR 10-3.060	Health Care Plan	37 MoReg 1754	37 MoReg 1846		
22 CSR 10-3.070	Health Care Plan	37 MoReg 1755	37 MoReg 1847		
22 CSR 10-3.075	Health Care Plan	37 MoReg 1756	37 MoReg 1847		
22 CSR 10-3.080	Health Care Plan		37 MoReg 1850		
22 CSR 10-3.090	Health Care Plan	37 MoReg 1758	37 MoReg 1850		
22 CSR 10-3.130	Health Care Plan	37 MoReg 1761	37 MoReg 1856		

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<b>1 CSR 10-15.010</b> Cafeteria Plan . . . . .	.38 MoReg 5 . . . . .	Jan. 1, 2013 . . . . .	June 29, 2013
<b>Department of Agriculture</b>			
Animal Health			
<b>2 CSR 30-2.020</b> Movement of Livestock, Poultry, and Exotic Animals Within Missouri . . . . .	.37 MoReg 1699 . . . . .	Nov. 8, 2012 . . . . .	May 6, 2013
<b>2 CSR 30-10.010</b> Inspection of Meat and Poultry . . . . .	.38 MoReg 5 . . . . .	Jan. 1, 2013 . . . . .	June 29, 2013
<b>Plant Industries</b>			
<b>2 CSR 70-11.070</b> Pine Shoot Beetle Intrastate Quarantine . . . . .	.37 MoReg 1637 . . . . .	Oct. 12, 2012 . . . . .	April 9, 2013
<b>Department of Public Safety</b>			
Office of the Director			
<b>11 CSR 30-14.010</b> Approval of Accrediting Organizations for Crime Laboratories . . . . .	.38 MoReg 243 . . . . .	Jan. 18, 2013 . . . . .	July 16, 2013
<b>Department of Revenue</b>			
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<b>12 CSR 10-41.010</b> Annual Adjusted Rate of Interest . . . . .	.37 MoReg 1701 . . . . .	Jan. 1, 2013 . . . . .	June 29, 2013
<b>Elected Officials</b>			
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<b>15 CSR 50-4.030</b> Missouri MOST 529 Matching Grant Program . . . . .	.38 MoReg 425 . . . . .	Feb. 2, 2013 . . . . .	July 31, 2013
<b>Department of Insurance, Financial Institutions and Professional Registration</b>			
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<b>20 CSR 2263-1.040</b> School Social Worker Examinations Approved by the Committee . . . . .	.37 MoReg 1561 . . . . .	Sept. 28, 2012 . . . . .	March 26, 2013
<b>Missouri Consolidated Health Care Plan</b>			
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<b>22 CSR 10-2.010</b> Definitions . . . . .	.37 MoReg 1701 . . . . .	Jan. 1, 2013 . . . . .	June 29, 2013
<b>22 CSR 10-2.020</b> General Membership Provisions . . . . .	.37 MoReg 1702 . . . . .	Jan. 1, 2013 .term. May 29, 2013	
<b>22 CSR 10-2.020</b> General Membership Provisions . . . . .	.37 MoReg 1702 . . . . .	Jan. 1, 2013 .term. May 29, 2013	
<b>22 CSR 10-2.045</b> Plan Utilization Review Policy . . . . .	.37 MoReg 1715 . . . . .	Jan. 1, 2013 . . . . .	June 29, 2013
<b>22 CSR 10-2.051</b> PPO 300 Plan Benefit Provisions and Covered Charges . . . . .	.37 MoReg 1716 . . . . .	Jan. 1, 2013 . . . . .	June 29, 2013
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<b>22 CSR 10-2.053</b> High Deductible Health Plan Benefit Provisions and Covered Charges . . . . .	.37 MoReg 1717 . . . . .	Jan. 1, 2013 .term. May 29, 2013	
<b>22 CSR 10-2.055</b> Medical Plan Benefit Provisions and Covered Charges . . . . .	.37 MoReg 1719 . . . . .	Jan. 1, 2013 .term. May 29, 2013	
<b>22 CSR 10-2.060</b> PPO 300 Plan, PPO 600 Plan, and HDHP Limitations . . . . .	.37 MoReg 1724 . . . . .	Jan. 1, 2013 . . . . .	June 29, 2013
<b>22 CSR 10-2.070</b> Coordination of Benefits . . . . .	.37 MoReg 1726 . . . . .	Jan. 1, 2013 .term. May 29, 2013	
<b>22 CSR 10-2.075</b> Review and Appeals Procedure . . . . .	.37 MoReg 1727 . . . . .	Jan. 1, 2013 . . . . .	June 29, 2013
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<b>22 CSR 10-2.091</b> Wellness Program Coverage, Provisions, and Limitations . . . . .	.37 MoReg 1732 . . . . .	Jan. 1, 2013 . . . . .	June 29, 2013
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<b>22 CSR 10-3.045</b> Plan Utilization Review Policy . . . . .	.37 MoReg 1743 . . . . .	Jan. 1, 2013 . . . . .	June 29, 2013
<b>22 CSR 10-3.053</b> PPO 1000 Plan Benefit Provisions and Covered Charges . . . . .	.37 MoReg 1744 . . . . .	Jan. 1, 2013 . . . . .	June 29, 2013
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<b>22 CSR 10-3.055</b> High Deductible Health Plan Benefit Provisions and Covered Charges . . . . .	.37 MoReg 1746 . . . . .	Jan. 1, 2013 . . . . .	June 29, 2013
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<b>22 CSR 10-3.057</b> Medical Plan Benefit Provisions and Covered Charges . . . . .	.37 MoReg 1748 . . . . .	Jan. 1, 2013 .term. May 29, 2013	

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<b>22 CSR 10-3.060</b>	PPO 600 Plan, PPO 1000 Plan, PPO 2000 Plan, and HDHP Limitations . . . . . 37 MoReg 1754 . . . . . Jan. 1, 2013 . . . . . June 29, 2013		
<b>22 CSR 10-3.070</b>	Coordination of Benefits . . . . . 37 MoReg 1755 . . . . . Jan. 1, 2013 .term. May 29, 2013		
<b>22 CSR 10-3.075</b>	Review and Appeals Procedure . . . . . 37 MoReg 1756 . . . . . Jan. 1, 2013 . . . . . June 29, 2013		
<b>22 CSR 10-3.090</b>	Pharmacy Benefit Summary . . . . . 37 MoReg 1758 . . . . . Jan. 1, 2013 .term. May 29, 2013		
<b>22 CSR 10-3.130</b>	Additional Plan Options . . . . . 37 MoReg 1761 . . . . . Jan. 1, 2013 . . . . . June 29, 2013		

**Executive  
Orders****Subject Matter****Filed Date****Publication****2013**

13-05	Declares a state of emergency and directs that the Missouri State Emergency Operations Plan be activated due to severe weather that began on Feb. 20, 2013.	Feb. 21, 2013	Next Issue
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13-04	Expresses the commitment of the state of Missouri to the establishment of Western Governors University (WGU) as a non-profit institution of higher education located in Missouri that will provide enhanced access for Missourians to enroll in and complete on-line, competency-based higher education programs. Contemporaneously with this Executive Order, the state of Missouri is entering into a Memorandum of Understanding (MOU) with WGU to further memorialize and establish the partnership between the state of Missouri and WGU.	Feb. 15, 2013	This Issue
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13-03	Orders the transfer of the Division of Energy from the Missouri Department of Natural Resources to the Missouri Department of Economic Development.	Feb. 4, 2013	This Issue
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13-02	Orders the transfer of the post-issuance compliance functions for tax credit and job incentive programs from the Missouri Department of Economic Development to the Missouri Department of Revenue.	Feb. 4, 2013	This Issue
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13-01	Orders the transfer of the Center for Emergency Response and Terrorism from the Department of Health and Senior Services to the Department of Public Safety.	Feb. 4, 2013	This Issue
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**2012**

12-12	Reauthorizes the Governor's Committee to End Chronic Homelessness until December 31, 2016.	Dec. 31, 2012	38 MoReg 246
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12-11	Advises that state offices located in Cole County will be closed on Monday, January 14, 2013, for the inauguration.	Dec. 20, 2012	38 MoReg 245
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12-10	Advises that state offices will be closed on Friday November 23, 2012.	Nov. 2, 2012	37 MoReg 1639
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12-09	Extends Executive Order 12-08 in order to extend the deadline for completion of approved projects under the Emergency Cost-Share Program and establishes a Program Audit and Compliance Team to inspect a sample of completed projects. It also extends Executive Order 12-07 until Nov. 15, 2012.	Sept. 10, 2012	37 MoReg 1519
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12-08	Authorizes the State Soil and Water Districts Commission to implement an emergency cost-share program to address water challenges to landowners engaged in livestock or crop production due to the current drought. Additionally, it establishes the Agriculture Water Resource Technical Review Team.	July 23, 2012	37 MoReg 1294
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12-07	Declares a state of emergency, directs the Missouri State Emergency Operations Plan be activated, and extends Executive Order 12-06 to Oct. 1, 2012, in response to the severe heat, dry conditions, and fire risks affecting the state.	July 23, 2012	37 MoReg 1292
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12-06	Activates the Missouri State Emergency Operations Center and directs the State Emergency Management Agency, State Fire Marshall, Adjutant General, and such other agencies to coordinate with local authorities affected by fire danger due to the prolonged period of record heat and low precipitation.	June 29, 2012	37 MoReg 1139
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12-05	Extends Executive Orders 11-06, 12-03, 11-07, 11-11, 11-14, and 12-04 until June 1, 2012.	March 13, 2012	37 MoReg 569
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12-04	Activates the state militia in response to severe weather that began on February 28, 2012.	Feb. 29, 2012	37 MoReg 503
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12-03	Declares a state of emergency and directs that the Missouri State Emergency Operations Plan be activated due to the severe weather that began on February 28, 2012.	Feb. 29, 2012	37 MoReg 501
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12-02	Orders the transfer of all authority, powers, and duties of all remaining audit and compliance responsibilities relating to Medicaid Title XIX, SCHIP Title XXI, and Medicaid Waiver programs from the Dept. of Health and Senior Services and the Dept. of Mental Health to the Dept. of Social Services effective Aug. 28, 2012, unless disapproved within sixty days of its submission to the Second Regular Session of the 96th General Assembly.	Jan. 23, 2012	37 MoReg 313
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12-01	Designates members of the governor's staff to have supervisory authority over certain departments, divisions, and agencies.	Jan. 23, 2012	37 MoReg 311
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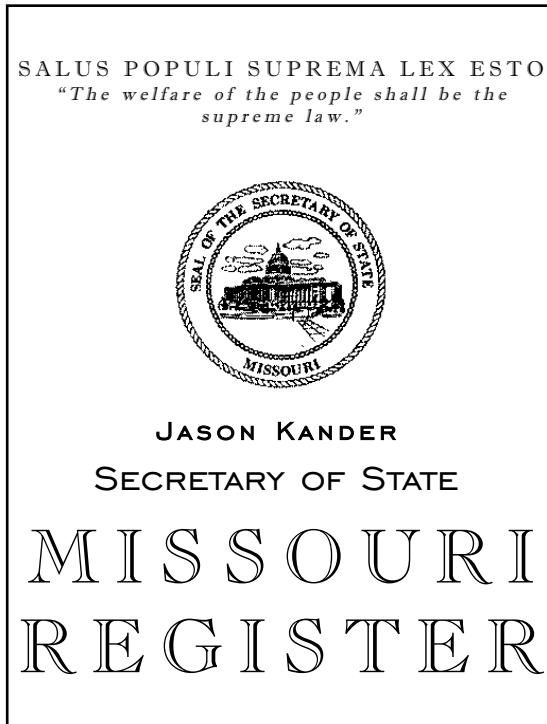
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## CERTIFICATION LETTER

Due to the passage of House Bill 45 in the 2011 legislative session, the requirement regarding small businesses in section 1.310, RSMo, was extended to small businesses with **fifty or less** employees.

The third paragraph of the certification letter for proposed rulemakings will need to be reworded to reflect this change in statute. The paragraph should be changed from “fewer than twenty-five full- or part-time employees” to “fewer than fifty full- or part-time employees” in two instances.

An updated example of the certification letter is available on our website at [www.sos.mo.gov/adrules/forms.asp](http://www.sos.mo.gov/adrules/forms.asp).